

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

IN RE APPLICATION OF ) No. 1:22-MC-756  
PENNLive, YORK DAILY ) (Magistrate Judge Schwab)  
RECORD, AND YORK DISPATCH )  
TO UNSEAL COURT RECORDS )  
 )

## NOTICE REGARDING ORDER OF MARCH 7, 2023

The United States of America hereby notifies the Court that, in accordance with the Court's Order of March 7, 2023, ECF No. 34, the United States has reviewed the redacted portions of its opposition and reply briefs filed in this matter and agrees that certain additional material may be un-redacted in light of opinions and orders released publicly by the U.S. District Court for the District of Columbia in the matter of *In re Search of the Forensic Copy of the Cell Phone of Representative Scott Perry*, 1:22-sc-02144 (D.D.C.). Specifically, the United States agrees that references to the fact of a warrant issued in the District of Columbia concerning access to a forensic copy of the cell phone of Representative Scott Perry may be un-redacted because the fact of that warrant was disclosed in the portions of the opinions made public in D.D.C. Notably, the court in D.D.C. did not order any disclosure—not

even in redacted form—of the underlying warrant materials at issue there. Copies of the government’s briefs removing redactions consistent with and for the reason explained in this Notice are attached hereto as Exhibit A (government’s opposition) and Exhibit B (government’s reply).

The remainder of the redacted portions of the government’s briefs contain information that is non-public and must remain under seal to protect the compelling governmental interests explained in detail in the government’s previously submitted filings. Should the Court nonetheless order the unsealing of any additional portion of the opposition or the reply, the government respectfully requests that the Court issue any such order under seal and ex parte to permit the government to raise objections to the District Court prior to the disclosure of any non-public information. Failure to do so could result in irreparable harm to the government’s ongoing investigation.

Dated: March 14, 2023

Respectfully submitted,

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/s/ *Leslie Cooper Vigen*

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